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REMARKS

Claims 1-26 are currently pending in the subject application and are presently under consideration. Favorable consideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1-26 Under 35 U.S.C. §102(b)

Claims 1-26 stand rejected under 35 U.S.C. §102(b) as being based upon a public use or sale of the invention, and are thus anticipated by Azarya *et al.* (US 5,978,578). Withdrawal of this rejection is respectfully requested for at least the following reasons. Azarya *et al.* fails to teach or suggest each and every limitation set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes *each and every limitation set forth in the patent claim*. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The *identical invention must be shown in as complete detail as is contained in the ... claim*. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Independent claims 1, 11, 15 and 23, recite similar claim limitations, namely: *a computer process interface library comprising object-oriented based objects and classes integrated into the automation interface component, the computer process interface library exposing the automation interface component to a client application process, the client application process communicates with the at least one industrial controller programmatically*. The invention as claimed, therefore, integrates a computer process interface library that comprises *object-oriented based objects and classes*, into an *automation interface component*. The automation interface component so constituted, utilizes the object-oriented based objects and classes integrated within the automation interface to expose the automation interface component to a client application so that the client application can communicate directly with at least one industrial controller. Azarya *et al.* is silent regarding this limitation.

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Azarya *et al.* discloses a control automation system for enabling I/O boards to access communications networks for receiving and transmitting real-time control information over a communications network. Azarya *et al.* however acts as an intermediary between the I/O boards and the receipt and transmittal of control information over a communications network. Azarya *et al.* does not expose the I/O boards to direct communication with a client application, and states as much at lines 12-15 of the Abstract, wherein it states: "[t]he bus functions as the hub of operation, receiving network communications, processing cooperative logic and transmitting information over the communication network." This is contrary to the teaching of the invention as claimed, wherein the automation interface, utilizing object-oriented objects and classes, *exposes* the industrial controller to direct communications with the client application. Thus, it is apparent that the claimed invention obviates the necessity for the control automation system disclosed by Azarya *et al.*, and further the invention as claimed is clearly distinguishable from Azarya *et al.* Accordingly, in view of at least the foregoing, withdrawal of this rejection with respect to independent claims 1, 11, 15 and 23 (and claims that depend therefrom) is respectfully requested.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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